

CIRCUIT COURT CLERK

DESCRIPTION

The Circuit Court Clerk is an elected official responsible for administration of the Chesterfield Circuit Court through a variety of judicial, non-judicial, and fiscal activities. The clerk's office provides administrative support to the judiciary by preparing, recording, and maintaining court orders, subpoenas, and pleadings. The office provides case-related information and court documents to state, local, and federal agencies as well as to the general public, attorneys, litigants, and the media. As caseloads increase, so do the demands placed upon the clerk's office staff to record court proceedings and to process and maintain the records and evidence associated with all cases filed.

On the non-judicial side, the Circuit Court Clerk serves as the probate judge in admitting or denying wills to probate and in qualifying executors,

administrators, and/or guardians. The clerk is also the County Recorder of Deeds and, as such, is responsible for recording all deeds, deeds of trust, powers of attorney, and real estate liens and releases. Other transactions and recordings processed by the clerk's office include judgments, financing statements, fictitious names, marriage licenses, concealed handgun permits, and a variety of appointments including ministers, notaries, local commission and board members, and law enforcement officers.

Fiscal responsibilities include the maintenance and investment of trust and condemnation funds as well as collection of court fines and costs, real estate transfer fees, recordation taxes, and other fees authorized by statute.

FINANCIAL ACTIVITY

	FY2002 Actual	FY2003 Adopted	FY2004 Biennial Planned	FY2004 Adopted	Change FY2003 to FY2004	FY2005 Projected	FY2006 Projected	FY2007 Projected
Personnel	\$1,699,910	\$1,746,200	\$1,746,200	\$1,939,500	11.1%	\$1,939,500	\$1,939,500	\$1,939,500
Operating	597,643	602,400	624,600	635,300	5.5%	635,300	635,300	635,300
Capital	<u>27,013</u>	<u>0</u>	<u>0</u>	<u>0</u>	0.0%	<u>0</u>	<u>0</u>	<u>0</u>
Total	\$2,324,567	\$2,348,600	\$2,370,800	\$2,574,800	9.6%	\$2,574,800	\$2,574,800	\$2,574,800
Revenue	<u>2,012,581</u>	<u>1,486,800</u>	<u>1,500,800</u>	<u>1,510,600</u>	1.6%	<u>1,510,600</u>	<u>1,510,600</u>	<u>1,510,600</u>
Net Cost	\$311,985	\$861,800	\$870,000	\$1,064,200	23.5%	\$1,064,200	\$1,064,200	\$1,064,200
FT Pos.	39	40	40	42	2	42	42	42

BUDGET ANALYSIS AND EVALUATION

Due to historically low mortgage interest rates during the past year, the Clerk's office has experienced a large surge in the number of land recordings, which required processing. The number increased 47% between FY2001 and FY2002 and an additional 12% increase has been experienced to date in FY2003. Coupled with county growth and increases in home sales, the impact on the Clerk's office has been enormous and has made the ability to handle the increased workload extremely

challenging. In addition, for the first time ever, criminal cases commenced exceeded 5,000 in FY2002. Including recordation fees, other departmental fee revenues, and excess fees, the Circuit Court Clerk's office generated more than \$6.7 million in revenue in FY2002. The majority of this revenue is recorded directly in the county's general fund.

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As a constitutional officer, the Clerk's office receives reimbursement from the state Compensation Board for salaries and office expenses. This funding has historically covered approximately 45% of the costs of the office. During the FY2003 Compensation Board budget cycle however, office expense reimbursements were reduced by \$60,000. Additional cuts were announced by Governor Warner in October 2002, reducing state funding again for both the FY2003 and FY2004 budgets. It is anticipated that these cuts will bring the percentage of the Clerk's budget funded by the Compensation Board to approximately 33%. The FY2004 county budget reflects an estimate of these decreases. The final Compensation Board budget will be determined by May 1, 2003, and may result in further adjustments to the Clerk's budget.

Another important issue currently facing the office is the need for additional space as the office has reached maximum capacity. An expansion of the office has been requested through the Capital Improvement Program (CIP) and is expected to begin in FY2007. Public areas of the office have become crowded and work and archival space has been exhausted. As an interim measure, approximately half of active case files have been moved from the main office to a more remote location. This temporary solution negatively impacts the ability of staff to find and research older files in a timely manner, thus impacting customer service.

In an effort to alleviate the effect of the cuts received from the state, and continue important automation initiatives, the county has added funding to the FY2004 budget for the following: \$60,300 to replace the cuts made by the Compensation Board for office expenses, \$10,200 to purchase an additional image retrieval unit, and \$14,000 in part-time funds to reduce the backlog in criminal court orders. In addition, to address the large increase in the number of land recordings, as well as the increase in the volume of criminal cases, the county has agreed to fund two new Deputy Clerk positions as well as

\$18,600 to fund a portion of one existing position in the office's civil division. Last year the county granted funding to cover half of this civil division position's cost and the Compensation Board was to provide the balance of funding. This request was denied by the state and in FY2004 the county has agreed to pick up the other half of the position. The two new positions in the Clerk's office are being funded by expected increases in recordation revenues, to expedite processing of land recordings, and an offset in the planned regional jail per diems, to expedite processing of orders to extradite state responsible inmates from the regional jail. Also projected for funding and included as a project in the recent Technology Improvement Program submission is funding for an imaging system to automate court case workflow. While that project remains in the planning stages, it is expected that maintenance fees could be incurred in FY2004.

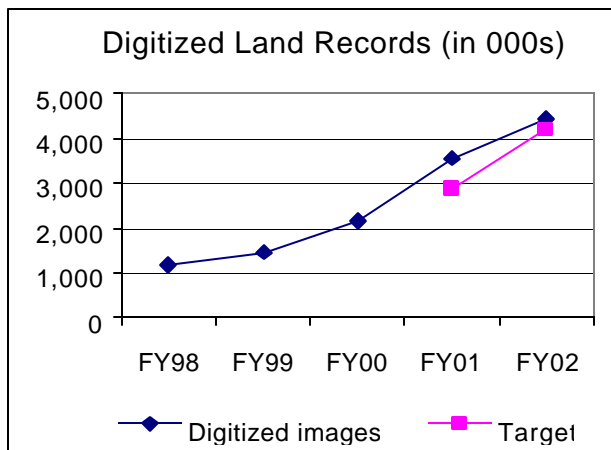
An additional request was submitted in the FY2004 budget for six positions to help reduce backlogs throughout the office. As mentioned above, two new positions have been created to help reduce backlogs in the land records and criminal divisions. A request was also made to network the office's jury management system and is not scheduled for funding but is considered critical as jury management functions continue to grow along with caseloads. Networking of the current system will allow multiple staff members to access the jury management database at one time.

The Circuit Court Clerk's office continues to make progress toward its goal of automating important processes. Digital scanning of permanent records will continue, and the vendor providing imaging services will continue to provide microfilm conversion in order to meet statutory requirements. Privatization of indexing and other records management services will result in labor cost savings, enhanced productivity, and improved customer service.

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HOW ARE WE DOING?

- Goal:** To provide the public with an effective means of recording and accessing information related to the county's land and other vital records. Supports countywide strategic goal numbers 1, 2, and 7
- Objective:** Create/maintain digital images of all land records processed
- Measure:** Number of digitized land record images

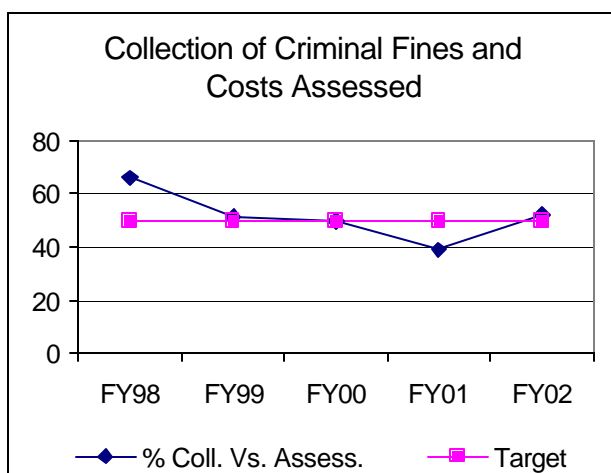


Initiatives

- Daily scanning of land records
- Back-file conversion of microfilm to a digital format
- Verification of conversion accuracy

Note: Targets were not established for this measure for the period FY1998-FY2000.

- Goal:** To provide quality customer service and administrative support to judiciary and others transacting court-related business. Supports countywide strategic goal numbers 1 and 2
- Objective:** Collect at least 50% of criminal fines and costs assessed
- Measure:** Percent of criminal fines and costs collected versus assessed



Initiatives

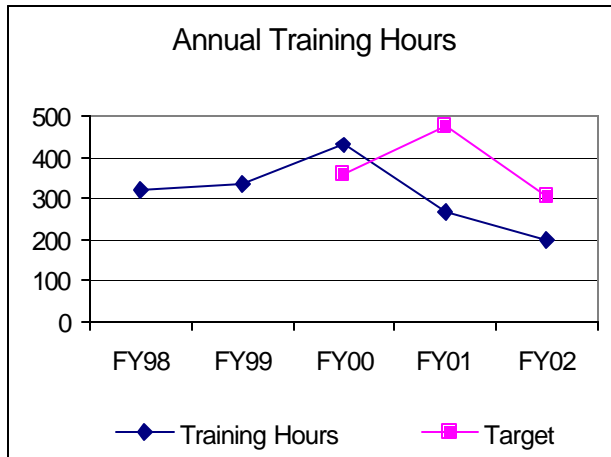
- Payment plan administration
- Department of Taxation acting as court's collection agent
- Operator's license suspensions for non-payment

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Goal: To attract, maintain, and develop a well-qualified workforce. Supports countywide strategic goal numbers 1, 2 and 6

Objective: Provide clerk's office employees multiple opportunities for training and professional development

Measure: Number of man-hours dedicated to training and professional development



Initiatives

- Computer training and county training opportunities made available to all staff
- Regular attendance at regional meetings
- Regular attendance at educational conferences

Note: Targets were not established for this measure for the period FY1998-FY1999

WHERE ARE WE GOING?

It is hoped that the backfile conversion of land records to a digitized format will continue using technology trust fund monies. Some of these monies which are state fees from users and had initially been intended to fund such technology projects in all state clerk's offices have been used by the state to fund its own budget shortfall. At the current time any future funding from the state for these projects is unknown. If not continued, the Clerk's office would be forced to turn to the county for funding of this important initiative.

In the future, the office will continue to seek methods to provide efficient storage and retrieval of all land and court documents through automated systems.

The Clerk's office is researching e-filing of land records and is interested in pursuing this technology. A large volume of certificates of satisfaction and assignments are received through the mail for recording. An e-filing solution, in which large mortgage companies would provide their information to the county in an automated format, would significantly reduce staff time required to manage these records. Such technology would benefit the Clerk's office and the mortgage banking community alike, saving staff time needed for re-work and correction of errors. The Circuit Court Clerk's office continues to look for ways to automate processes and streamline procedures in an effort to become as efficient as possible in meeting statutory responsibilities.